

UNOFFICIAL TRANSLATION

The enforcement of restrictive measures on transactions Law of 2013

Decree as per articles 4 and 5

Preamble	<p>WHEREAS there is lack of substantial liquidity and significant risk of deposits outflow with possible outcome the collapse of the credit institutions with chain effects that could lead to systemic instability of the financial system and have destabilizing consequences on the economy as a whole,</p> <p>AND WHEREAS there is immediate risk of a complete destabilisation of the financial system of the country and the collapse of the entire financial sector, which is likely to have disastrous consequences for the country's economy and society,</p> <p>AND WHEREAS under these circumstances an emergency situation is created,</p> <p>AND WHEREAS for safeguarding the public order and public security and for overriding reasons of public interest,</p>
12(I) of 2013	<p>The Minister of Finance in exercising the powers granted to him by sections 4 and 5 of the enforcement of restrictive measures on transactions Law of 2013, following a recommendation of the Governor of the Central Bank issues the following Decree:</p>
Short title.	<p>1. The present Decree shall be cited as the Enforcement of Temporary Restrictive Measures on Transactions in Case of Emergency First Decree of 2013.</p>
Interpretation	<p>2. (1) In the present Decree, unless the context shall prescribe otherwise:</p> <p>«Committee» means the Committee established by virtue of section 9 of the Law.</p> <p>«Law» means The Enforcement of Restrictive Measures on Transactions Law of 2013.</p> <p>«Debit or credit or prepaid card» means debit or credit or prepaid card issued by credit institution.</p> <p>(2) Terms not defined in this Directive shall have the meaning ascribed to them by the Law.</p>

Imposition of restrictive measures.

3. By virtue of sections 4 and 5 of the Law, and after a recommendation by the Governor and with the consent of the Governor, the following restrictive measures are imposed:

- (a) The maximum amount of cash withdrawal shall not exceed €300 daily or its equivalent in foreign currency, per person in each credit institution. All cash withdrawals (namely the withdrawals through debit and or prepaid cards, the withdrawals from the credit institution's tellers and the withdrawals through credit cards against balance in sight/current account) are computed per person consolidating accounts in each credit institution:

Provided that any amount of the maximum daily amount allowed of cash which is not withdrawn by the beneficiary during the day in which the limit applies, it may be withdrawn at any time afterwards.

- (b) The cashing of cheques is prohibited

- (c) Cashless payments or transfers of deposits/funds to accounts held abroad or in other credit institutions are prohibited, except from

- (i) Payments for trade transactions that fall within the normal business of the customer and upon presentation of supporting documents as follows :

- Payment of up to €5000 per day per account is not subject to any restrictive measure.
- Payment from €5001 to €200.000 is subject to the approval of the Committee. The credit institution submits to the Committee the daily total and the number of such payments and the Committee's decision is taken within the same day taking into account the liquidity buffer situation of the credit institution.
- Payment above €200.000 provided the prior approval of the Committee is obtained after taking into account the liquidity buffer situation of the credit institution.

- (ii) Payments for salaries of employees upon presentation of supporting documents.

- (iii) Student living expenses up to €5.000 per quarter and tuition fees of first degree relatives of residents studying abroad on the basis of supporting documents. The payment shall be made to the beneficiary.

- (iv) Payments and or transfers outside the Republic, via debit and

or credit and or prepaid cards, shall not be allowed to exceed €5.000 per month per person in each credit institution.

(v) Other payments and or transfer of funds provided the prior approval of the Committee is acquired taking into account the liquidity buffer situation of the credit institution.

(d) It is prohibited to terminate fixed term deposits prior to their maturity unless the funds are used to repay a loan within the same credit institution.

(e) On the first maturity of fixed term deposits, the higher between €5.000 or 10% of the total capital, shall be transferred, in the choice of the depositor, to a sight/current account or deposited in a new fixed term deposit of the depositor in the same credit institution. For the remaining amount the maturity shall be extended for 1 month.

(f) Exports of euro notes and/or foreign currency notes exceeding €1000 or its equivalent in foreign currency per natural person per journey abroad is prohibited, unless the prior approval of the Committee is acquired. The Director of Customs and Excise Department ensure the implementation of this measure.

(jc) Financial transaction, payment, and transfer that has not been finalised prior to the date of entry in to force of this Decree shall be subject to the restrictive measures.

(jd) Credit institutions shall not execute cashless transfers that facilitate the circumvention of the restrictive measures.

(je) The restrictive measures apply to all accounts, payments and transfers regardless of the currency denomination.

Exemptions.

4. Exempted from the restrictive measures are:

a. All new funds transferred from abroad

b. Withdrawal of cash using credit and or debit and or prepaid card issued by foreign institutions on accounts abroad.

c. The cashing of cheques issued on accounts held with foreign institutions abroad

d. Payments that have been authorised by the Committee.

e. Cash withdrawals from accounts of credit institutions with the Central

Bank.

f. The Republic.

g. The Central Bank.

Michalis Sarris
Minister of Finance